

**STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
WHITE COUNTY, ILLINOIS**

TIMOTHY R. BROWN,

Plaintiff,

Vs.

2022LA6

DOUGLAS JERMAINE TURNER and
SMITH PACKAGE, LLC, d/b/a SMITH
TRANSPORTATION,

Defendants.

COMPLAINT AND JURY DEMAND

COUNT I

NOW COMES, the Plaintiff, Timothy R. Brown, by his attorney, Daniel A. Barfield, of Robert John & Associates, P.C., and for Count I of his cause of action against the Defendant, Douglas Jermaine Turner, states as follows:

1. On April 14, 2022, at approximately 7:40 a.m., the Plaintiff, Timothy R. Brown, was a passenger in a 2017 Nissan Rogue vehicle travelling in a northbound direction along Illinois Route 1 near County Road 800N in White County, Illinois.

2. At said date, time and place, the Defendant, Douglas Jermaine Turner, was driving a 2018 semi-tractor trailer truck in the scope of his employment for the Defendant, Smith Package, LLC, d/b/a Smith Transportation, in a southbound direction along Illinois Route 1 near County Road 800N in White County, Illinois.

3. At said date, time and place, the Defendant, Douglas Jermaine Turner, drove his semi-tractor trailer truck across the center line of southbound Illinois Route 1 in White County, Illinois and struck the vehicle in which the Plaintiff was a passenger in the northbound lane of traffic thereby causing the vehicle in which the Plaintiff was a passenger to spin and enter the



southbound lane of Illinois Route 1 resulting in a head on crash between car that the Plaintiff was a passenger in and a third vehicle.

4. Then and there, the Defendant, Douglas Jermaine Turner, committed one or more of the following negligent acts or omissions:

a. Drove his semi-tractor trailer truck across the center line of Illinois Route 1 without first ascertaining that such movement could be made with safety, in violation of 625 ICLS 5/11-709(a).

b. Drove his semi-tractor trailer truck at a speed that was greater than reasonable and proper with regards to traffic conditions and the use of Illinois Route 1, and which endangered the safety of the Plaintiff, in violation of 625 ICLS 5/11-601(a).

c. Failed to keep his semi-tractor trailer truck he was driving in the southbound lane of Illinois Route 1 through the use of proper steering and braking.

5. As a direct and proximate result of one or more of the aforementioned negligent acts or omissions on the part of the Defendant, Douglas Jermaine Turner, the Plaintiff, Timothy R. Brown, suffered one or more of the following injuries and damages:

- a. Past and future medical expenses;
- b. Past and future lost wages;
- c. Past and future disability;
- d. Past and future pain and suffering; and
- e. Past and future emotional distress.

WHEREFORE, the Plaintiff, Timothy R. Brown, prays for judgment against the Defendant, Douglas Jermaine Turner, in an amount in excess of \$50,000.00, costs of suit, and DEMANDS TRIAL BY JURY OF SIX PERSONS.

By: /s/ Daniel A. Barfield

COUNT II

NOW COMES, the Plaintiff, Timothy R. Brown, by his attorney, Daniel A. Barfield, of Robert John & Associates, P.C., and for Count II of his cause of action against the Defendant, Smith Package, LLC, d/b/a Smith Transportation, states, in addition and in the alternative to Count I herein, as follows:

1 – 5. The Plaintiff restates and realleges paragraphs 1-5 of Count I, as and for, paragraphs 1-5 of Count II, inclusive.

WHEREFORE, the Plaintiff, Timothy R. Brown, prays for judgment against the Defendant, Smith Package, d/b/a Smith Transportation, in and amount in excess of \$50,000.00, costs of suit, and DEMANDS TRIAL BY JURY OF SIX PERSONS.

By: /s/ Daniel A. Barfield
Daniel A. Barfield, #6228805
ROBERT JOHN & ASSOCIATES, PC
319 NW Martin Luther King Jr. Blvd.
Evansville, IN 47708
PH: (812) 425-2718 FX: (812) 425-2874
Email: dan@rjohnlaw.com

**STATE OF ILLINOIS
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TIMOTHY R. BROWN,

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Vs.

DOUGLAS JERMAINE TURNER and
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2022LA6

APPEARANCE FORM

Comes now Daniel A. Barfield of Robert John and Associates, P.C., and enters his
Appearance on behalf of Plaintiff, Timothy R. Brown.

/s/ Daniel Barfield

Daniel A. Barfield,
Attorney for Plaintiff

Daniel A. Barfield #6228805
Robert John and Associates, P.C.
Attorney for Plaintiff
319 Martin Luther King, Jr. Blvd.
Evansville, IN 47630
(812) 425-2718
(812) 425-2874
Email: dan@rjohnlaw.com

CERTIFICATION OF SERVICE

I hereby certify that a copy of the foregoing is being filed via the Illinois E-Filing System.

Dated this 15th day of September, 2022.

/s/ Daniel Barfield

Daniel A. Barfield
Attorney for Plaintiff

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AFFIDAVIT

I, Daniel A. Barfield, state under oath:

1. I am an attorney with Robert John and Associates, P.C., and I represent the Plaintiff
in the above-captioned matter;
2. That the total of money damages sought by the Plaintiff in this matter exceeds
\$50,000, exclusive of interest and costs.

/s/ Daniel Barfield

Daniel A. Barfield

Attorney for Plaintiff

Daniel A. Barfield #6228805
Robert John and Associates, P.C.
Attorney for Plaintiff
319 Martin Luther King, Jr. Blvd.
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TRANSPORTATION,)	
)	
Defendants.)	

JURY DEMAND

Comes now the Plaintiff, Timothy R. Brown, by and through his attorney, Daniel A. Barfield, of Robert John and Associates, P.C., and demands trial by jury of twelve persons.

/s/ Daniel Barfield
Daniel A. Barfield
Attorney for Plaintiff

Daniel A. Barfield #6228805
Robert John and Associates, P.C.
Attorney for Plaintiff
319 Martin Luther King, Jr. Blvd.
Evansville, IN 47630
PH: (812) 425-2718 FX: (812) 425-2719
Email: dan@rjohnlaw.com

CERTIFICATION OF SERVICE

I hereby certify that a copy of the foregoing is being filed via the Illinois E-Filing System.

Dated this 15th day of September, 2022.

/s/ Daniel Barfield
Daniel A. Barfield
Attorney for Plaintiff

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SUMMONS

To the defendant: **Smith Package, LLC, d/b/a Smith Transportation
c/o Matthew J. Henning
1034 S. Brentwood Blvd., Ste. 2100
St. Louis, MO 63117**

YOU ARE SUMMONED and required to file an answer in this case, or otherwise file your appearance, in the office of the clerk of this court 301 E Main St, Carmi, IL 62821 within 30 days after service of this summons, not counting the day of service. **IF YOU FAIL TO DO SO, A JUDGMENT OR DECREE BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.**

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

To the officer:

This summons must be returned by the officer or other persons to whom it was given for service, with indorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed. Summons may not be served later than 30 days after its date.



WITNESS

9/15/2022 XXXXX
2021

Kelly L. Fulkerson
Clerk of court
s/ Hollie Damery

Associate Circuit Clerk-Deputy

Name: _____ field
Attorney for: Plaintiff
Address: 319 NW MLK Jr. Blvd
City: Evansville, IN 47708
Telephone: 812-425-2718

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Notice and Acknowledgment of Receipt of Summons and Complaint

NOTICE

To: **Smith Package, LLC, d/b/a Smith Transportation
c/o Matthew J. Henning
1034 S. Brentwood Blvd., Ste. 2100
St. Louis, MO 63117**

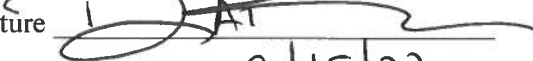
The enclosed summons and complaint are served pursuant to section 2-213 of the Code of Civil Procedure.

You must complete the acknowledgment part of this form and return one copy of the completed form to the sender within 30 days.

You must sign and date the acknowledgment. If you are served on behalf of a corporation, unincorporated association (including a partnership), or other entity, you must indicate under your signature your relationship to that entity. If you are served on behalf of another person and you are authorized to receive process, you must indicate under your signature your authority.

If you do not complete and return the form to the sender within 30 days, you (or the party on whose behalf you are being served) may be served a summons and complaint in any other manner permitted by law.

If you do complete and return this form, you (or the party on whose behalf you are being served) must answer the complaint within 30 days. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. I declare, under penalty of perjury, that this notice and acknowledgment of receipt of summons and complaint will have been mailed on **September 15, 2022**.

Signature 
Date of Signature 9/15/22

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SUMMONS

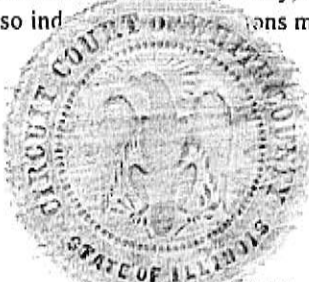
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St. Louis, MO 63117**

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9/15/2022

XXXXXX
, 2021

Kerry L. Fulkerson
Clerk of court
/s/ Hollie Damery

Associate Circuit Clerk-Deputy

Name: **Dan Barfield**
Attorney for: **Plaintiff**
Address: **319 NW MLK Jr. Blvd**
City: **Evansville, IN 47708**
Telephone: **812-425-2718**

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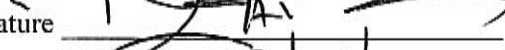
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